

## REQUIREMENTS FOR REGISTRATION - COLLECTION AGENCIES

Access this form via website at: [www.hawaii.gov/dcca/pvl](http://www.hawaii.gov/dcca/pvl)

*READ ENTIRE REQUIREMENT SHEET. YOU ARE RESPONSIBLE FOR KNOWING AND UNDERSTANDING THESE REQUIREMENTS. RETAIN THIS SHEET FOR FUTURE REFERENCE.*

To be registered, an agency must:

1. File and maintain a bond with the Director in the sum of \$25,000 for the first office and \$15,000 for each additional office;
2. Pay appropriate fees; and
3. Submit an application for registration.

(These three requirements are stated in §443B-4.)

To be able to conduct collection agency business, an agency must be registered and also:

1. Have and maintain a regular active business office in Hawaii; and
2. Designate a principal collector to assume the responsibility for the direct management and control of the operation of the office.

(These requirements are stated in §443B-6.)

### APPLICATION

Complete the attached application form by typing or printing legibly in black ink and sign the application.

- **Failure to provide all the requested information will delay the processing of your application.**

### ENTITY REGISTRATION:

**Corporation,  
Partnership,  
LLC or LLP**

If the application is for a corporation, partnership, LLC or LLP, we will require the following proof to show that the entity is properly registered with the Business Registration Division (BREG), Department of Commerce and Consumer Affairs, State of Hawaii, P.O. Box 40, Honolulu, HI 96810. Call (808) 586-2727 or visit their website at: [www.businessregistrations.com/home.html](http://www.businessregistrations.com/home.html) to order Certificates of Good Standing, forms, etc.

If the entity has been registered in this State for LESS THAN ONE (1) YEAR, attach a "filed-stamped" copy of the document filed with BREG; or, the same certificate mentioned below.

If the entity has been registered in this State for MORE THAN ONE (1) YEAR, attach a current "Certificate of Good Standing" or "Certificate of Qualification" issued not more than 1 year ago.

### SURETY BOND

Each collection agency shall file and maintain with the Director a bond in the penal sum of \$25,000 for the first office and \$15,000 for each additional office in this State. Attach completed bond form.

All bonds shall be issued by a surety company authorized to do business in the State. Have your insurance company complete the attached bond form for each office. A collection agency is required to have a current bond IN FORCE AT ALL TIMES for all offices unless terminated or canceled by the surety. Termination or cancellation shall not be effective, unless notice is delivered by the surety to the Director and the collection agency at least SIXTY DAYS prior to the date of termination or cancellation.

Failure, refusal, or neglect of a collection agency to maintain in full force and effect a bond shall cause the automatic suspension of the registration of the collection agency.

### FEES

If registering between July 1, even-numbered year to  
June 30, odd-numbered year, pay ..... \$ 215  
(Application-\$25\* + Registration-\$40 + ½ Renewal-\$40 +  
Compliance Resolution Fund-\$110)  
\*\*If registering between July 1, odd-numbered year to  
June 30, even-numbered year, pay ..... \$ 120  
(Application-\$25\* + Registration-\$40 +  
Compliance Resolution Fund-\$55)

\*Application fee is non-refundable.

\*\*Subject to renewal and renewal fees by June 30, of every even-numbered year.

**Note:** One of the numerous legal requirements that you must meet in order for your new license to issue is the payment of fees as set forth in this application. You may be sent a license certificate before the check you sent us for your required fees clears your bank. If your check is returned to us unpaid, you will have failed to pay the required licensing fee and your license will not be valid, and you **may not** do business under that license. Also, a \$15.00 service fee will be charged for checks which are returned by the bank.

**FEES (Continued)**

*If for any reason you are denied the license you are applying for, you may be entitled to a hearing as provided by Title 16, Chapter 201, Hawaii Administrative Rules, and/or Chapter 91, Hawaii Revised Statutes. Your written request for a hearing must be directed to the agency that denied your application, and must be made within 60 days of notification that your application for a license has been denied.*

**MAILING  
ADDRESS**

Mail the completed application, fees and bond form to:

*Collection Agencies  
DCCA, PVL, Licensing Branch                      or  
P.O. Box 3469  
Honolulu, HI 96801*

*Deliver to office location at:  
1010 Richards St., 1st Floor  
Honolulu, HI 96813  
Phone: (808) 586-3000*

**BRANCH OFFICE**

To register a branch office **submit** a letter requesting the additional branch office and include the Hawaii business address, the name of the Principal Collector who is responsible for the direct management and control of the daily operation of the office and a completed bond form for \$15,000.

**LAWS & RULES  
PUBLICATIONS**

To obtain a copy of the collection agencies laws, Chapter 443B, Hawaii Revised Statutes and rules, Chapter 112, Hawaii Administrative Rules, send a written request and \$1.25 to: Cashier, Commerce and Consumer Affairs, P.O. Box 541, Honolulu, Hawaii 96809. Chapter 436B, Hawaii Revised Statutes, the Professional and Vocational Licensing Act may be purchased separately for 75¢. Price subject to change without notice.

The laws and rules are also posted on our website at: [www.hawaii.gov/dcca](http://www.hawaii.gov/dcca). Look under "Obtaining Information".

It is your responsibility to know and understand the laws and rules governing collection agencies.

**NOTIFICATION OF  
CHANGE**

Every collection agency shall notify the Director in writing of any material change at any time during either the application process or the duration of the registration.

"Material change" means any change of circumstance including the assigning, selling, leasing, encumbering, or otherwise transferring of the rights, privileges, and obligations of the collection agency, voluntarily or involuntarily, directly or indirectly, including the transfer of 51% of control of the collection agency, whether by change in ownership or otherwise.

**MAINTAINING THE LICENSE****MAINTAIN BOND**

Each collection agency shall maintain a bond in full force. Failure, refusal, or neglect of a collection agency to maintain in full force and effect a bond shall cause the automatic suspension of the registration of the collection agency.

**TERMINATION OF  
BUSINESS**

Within 10 days of termination of registrant's business, registrant shall surrender its certificate or registration.

No less than 60 days before the collection agency terminates its business, the registrant shall submit a notice of "*Termination of Business*," Form CA-03. Form available at our office or at [www.hawaii.gov/dcca/pvl](http://www.hawaii.gov/dcca/pvl), click on "Collection Agency".

**BIENNIAL  
RENEWAL**

Every registered collection agency, regardless of issuance date, is subject to renewal on or before June 30 of each even-numbered year. All business entities are required to submit a "Certificate of Good Standing" issued by the Hawaii DCCA Business Registration Division as a renewal requirement. Failure, neglect, or refusal to pay the renewal fee shall constitute a forfeiture of the registration. If you have not received a renewal application 30 days prior to the expiration date printed on your registration card, call (808) 586-3000 or write to our mailing address.

**DELINQUENT  
REGISTRATION**

Any collection agency which has failed to renew its registration may restore it by filing an application and payment of any delinquent renewal fees and a restoration fee. Failure to restore a forfeited registration within sixty (60) days of forfeiture shall cause the registration to be terminated.

This material can be made available for individuals with special needs. Please call the Licensing Branch Manager at (808) 586-3000 to submit your request.

# APPLICATION FOR REGISTRATION - COLLECTION AGENCIES

Dept. of Commerce & Consumer Affairs  
Collection Agencies  
1010 Richards St., P.O. Box 3469  
Honolulu, HI 96801

Please read the "Requirements for Registration."

**NAME** (Individual-First, Middle, LAST, or Name of Corporation/Partnership/LLC/LLP):

Trade Name or Business Name (if one will be used):

Hawaii Business Address (Include suite no., city, state & zip code):

Mailing Address, **ONLY** if different from above (Include suite no., city, state & zip code)

Social Security No. (Individual):

Phone No. (Hawaii):

General Excise Tax No. (issued by State Dept. of Taxation):

**INDIVIDUAL APPLICANT:** Residence Address of Applicant who is applying as a Sole Owner:

Phone (Residence):

Indicate the type of Business Entity:

( ) Individual (sole owner) ( ) LLC  
( ) Corporation ( ) LLP  
( ) Partnership

**PRINCIPAL COLLECTOR:** Name of Principal Collector who is responsible for the direct management and control of the daily operation of the office:

Residence Address of Principal Collector (must be a Hawaii residence address):

Social Security No.:

Phone (Residence)

BRANCH OFFICE LOCATIONS (In Hawaii):

## CORPORATION, PARTNERSHIP, LLC or LLP

| List Name & Title                          | Residence Addresses<br>(Include Apt. Nos. & Zip Codes) | Residence<br>Phone Nos. | Social<br>Security No. |
|--|--|-------------------------|------------------------|
| President, Partner, Manager or Member      |  |                         |                        |
| Vice-President, Partner, Manager or Member |  |                         |                        |
| Secretary, Partner, Manager or Member      |  |                         |                        |
| Treasurer, Partner, Manager or Member      |  |                         |                        |

(Continued on Back)

Appln ..... 094 ..... \$25  
Reg ..... 095 ..... \$40  
CRF ..... 096 ..... \$55/110  
½ Renewal ..... 090 ..... \$40  
Service Fee ..... BCF ..... \$15

COLLECTION AGENCY APPLICATION

Name of Applicant \_\_\_\_\_ Date \_\_\_\_\_

Circle or underline answers; give details if required:

- 1) Has the applicant, any officers of the corporation, partners, managers or members ever been associated in any capacity in the operation or business of a collection agency? .....YES NO
- 2a) Has the applicant, any officers of the corporation, partners, managers or members ever had any registration, license or permits revoked, suspended or otherwise subject to disciplinary action? .....YES NO
- b) Is any disciplinary action pending or any licenses or registrations being investigated? .....YES NO
- 3) In the past 20 years has the applicant, any officers of the corporation, partners, managers or members been convicted of a crime in which the conviction has not been annulled or expunged? .....YES NO
- 4) Will the agency's business be conducted in connection with any other business? .....YES NO

EXPLAIN **ALL** "YES" RESPONSES ON A SEPARATE SHEET. IF RESPONSE IS "YES" FOR QUESTIONS, 2a, 2b & 3, PLEASE PROVIDE DATES, PLACES, AND TYPE OF CONVICTION OR DISCIPLINARY ACTION.

AFFIDAVIT OF APPLICANT:

I certify that the answers and statements contained in this application and the documents attached are true and correct. I understand that misrepresentation is grounds for refusal or subsequent revocation of registration (Section 710-1017, Hawaii Revised Statutes).

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Print Your Name

\_\_\_\_\_  
Title (owner, president, partner, manager or member)

This material can be made available for individuals with special needs. Please call the Licensing Branch Manager at (808) 586-3000 to submit your request.

## STATUTORY BOND

### COLLECTION AGENCIES - CHAPTER 443B, HRS

|          |   |  |
|----------|---|--|
| Bond No. | For collection agency                           | Office Location: (must be Hawaii business address) |
|          | ( ) First & main office<br>(Hawaii office only) |  |
|          | ( ) Branch Office<br>(Hawaii office only)       | Hawaii Business Phone No:                          |

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, \_\_\_\_\_  
(Name of Principal)  
of \_\_\_\_\_, State of Hawaii, as Principal, and  
(Hawaii Business Address)  
\_\_\_\_\_ as Surety, and authorized by  
(Name of Surety)  
the Insurance Commissioner, State of Hawaii, to transact the business of surety insurance, are held and firmly bound unto  
the State of Hawaii, in the full and just sum of \_\_\_\_\_  
(\$ \_\_\_\_\_) in lawful money of the United States of America, and hereby bind ourselves jointly and  
severally, and our heirs, executors, administrators, successors and assigns, firmly by these presents.

THAT WHEREAS, the said bounden Principal shall act or assume to act or advertise as a collection agency under  
the provisions of Chapter 443B, HRS, and rules promulgated pursuant thereto.

THAT WHEREAS, the said bounden Principal shall faithfully, promptly and truly account and pay within thirty days  
after the calendar month, to its clients the net proceeds due on all collections made during the calendar month.

THAT WHEREAS, the said bounden Principal shall comply with all requirements of Chapter 443B, HRS, and any  
other statute now in force or hereafter enacted with respect to the duties, conduct, obligations, and liabilities of collection  
agencies.

NOW, THEREFORE, if the said bounden Principal, including its principal collector, employees, directors, officers,  
agents, volunteers and independent contractors shall faithfully and truly comply with Chapter 443B, HRS, and rules  
promulgated pursuant thereto, and all of the conditions previously stated in this bond, then this obligation shall be void;  
otherwise, this obligation shall be and remain in full force and effect.

AND, in addition to any other remedy, the Director of Commerce and Consumer Affairs or any person claiming to  
have sustained any damage by reason of any breach of the conditions of this bond may bring action on the bond against  
the Surety for the recovery of any damages sustained therefrom. Any person who has a right of action to recover under  
this bond is entitled to receive a reasonable attorney's fee, to be allowed by the court, incurred to procure the recovery  
under this bond; provided, however, that the aggregate liability of the Surety shall in no event, exceed the amount of this  
bond.

AND, this bond shall be continuous in form and remain in full force and effect unless terminated or cancelled by the Surety. Termination or cancellation shall not be effective, unless written notice thereof is delivered by the Surety to the Principal and the Director of Commerce and Consumer Affairs at least sixty days prior to the date of termination or cancellation of this bond. The Surety, however, in any event, may be held liable under this bond for the statutory limitation period of six (6) years as provided for in Section 657-1(1), Hawaii Revised Statutes.

AND, this bond may not be changed or amended without the prior written consent of the Director of Commerce and Consumer Affairs.

IN WITNESS WHEREOF, we, the said Principal and the said Surety have hereunto set our hands and seals this \_\_\_\_ day of \_\_\_\_, A.D. 20 \_\_\_\_.

*Subscribed and sworn to before me*  
*this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_*

\_\_\_\_\_  
*Notary Public, State of \_\_\_\_\_*  
*My commission expires: \_\_\_\_\_*

Principal: \_\_\_\_\_

By: \_\_\_\_\_

Its \_\_\_\_\_

*Subscribed and sworn to before me*  
*this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_*

\_\_\_\_\_  
*Notary Public, State of \_\_\_\_\_*  
*My commission expires: \_\_\_\_\_*

Surety: \_\_\_\_\_

By: \_\_\_\_\_

Its \_\_\_\_\_

Collection Agencies  
DCCA, PVL Licensing Branch  
1010 Richards St., P.O. Box 3469  
Honolulu, Hawaii 96801

To receive confirmation of your registration, fill in your name and mailing address in the block below on the "Notice of Registration" form. This confirmation will take about 3 weeks to process. The registration card will take about 6 weeks to process.

**NOTICE OF REGISTRATION**

Professional and Vocational Licensing Division  
Department of Commerce and Consumer Affairs  
State of Hawaii

This is authorization to act as a **COLLECTION AGENCY** until such time that a registration is processed.

**THIS AUTHORIZATION IS VALID ONLY WHEN SIGNED BY THE EXECUTIVE OFFICER OF THE BOARD OR PROGRAM.**

Print Name & Complete Mailing Address in Block Below:

REGISTRATION NO. COLA-

EFFECTIVE DATE \_\_\_\_\_

EXPIRATION DATE 6/30/

\_\_\_\_\_  
EXECUTIVE OFFICER